

### **REMARKS**

On October 3, 2005, Applicants filed an Amendment concurrently with a Request for Continued Examination in response to a Final Office Action mailed on August 4, 2005. In the Amendment, claims 1-127 were cancelled and new claims 128 through 173 were added.

Subsequently, Applicants received a Notice of Non-Compliant Amendment from the United States Patent and Trademark Office mailed on December 29, 2005. Applicants submitted a Response to the Notice of Non-Compliant Amendment, which identified the reasons for new claims 128-173 being patentable over the prior art and support in the specification for these new claims.

Thereafter, Applicants received the present Office Action, which stated that the Applicants' response failed to provide support in the specification for all the dependent claims. Applicant's respectfully request entry of this Amendment, which supplements the Response to the Notice of Non-Compliant Amendment to include support in the specification for dependent claims 129-150 and 152-172. Recitation of support for these dependent claims start on page 14.

Claims 128-173 are now pending in this application. Claims 1-127 have been canceled and new claims 128-173 have been added. No new matter is introduced. Reconsideration is respectfully requested.

Claim Rejections – 35 U.S.C. 102

The Examiner rejected claims 73-75, 77, 79-82, 85-88, 90-92, 100-102, 105-108, 110-112, 114, 119 and 120 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 5,991,306 to Burns et al. Claims 1-127 have been canceled. This rejection is now moot.

Claim Rejections – 35 U.S.C. 103

The Examiner rejected claims 76, 78, 83, 84, 89, 93-99, 103, 104, 109, 113, 115-118 and 121-127 under 35 U.S.C. §103(a) as being unpatentable over Burns et al. Claims 1-127 have been canceled. Claims 1-127 have been canceled. This rejection is now moot.

New Claims 128-173

New claims 128-173 have been added, of which claims 128, 151 and 173 are independent. With respect to claim 128, a system for managing distribution of viewable data objects is provided featuring a plurality of servers for storing viewable data objects, including local servers and storage servers. Each local server is in communication with at least one of a plurality of viewer receivers. Each storage server is in communication with selected local servers. A content manager, which is in communication with each of the servers, is configured to cause selected viewable data objects to be provided to selected servers at least in part on the basis of expected demand for the viewable data objects by the selected servers and at least one of available bandwidth associated with the selected servers and available storage capacity associated with the selected servers. Method claim 151 and system claim 173 also recite similar features. Support for claim 128, 151 and 173 can be found in FIGS. 3, 5B and 5C and in the surrounding discussion on page 3, lines 15-28; page 5, lines 11-20; page 9, line 15 to page 12, line 3; page 14, line 23 to page 15, line 19; and page 16, line 10 to page 17, line 26.

With respect to claims 128, 151 and 173, Burns et al fails to teach or suggest at least the step of causing, or a content manager configured to cause, one or more selected viewable data objects to be provided to selected server at least in part on the basis of the expected demand and at least one of the available bandwidth and the available storage capacity associated with the selected servers. At best, Burns et al discusses a network system in which local service providers schedule delivery of frequently requested content from a content provider prior to a peak time when the subscribers are likely to request the content. The content is downloaded from the content provider during the off-peak hours and cached at the local service providers for serving to the subscribers during the ensuing peak time. (See Abstract; FIG. 5 and surrounding discussion at col. 9, line 1 through col. 10, line 10) Burns et al does not teach or suggest causing selected viewable data objects to be provided to selected servers on the basis available bandwidth and/or available storage capacity associated with the selected servers in addition to the expected demand for the viewable data objects by the selected servers, as now recited in claims 128, 151 and 173.

For at least these reasons, it is believed claims 128, 151 and 173 are not taught or suggested in view of the prior art of record.

Furthermore, by virtue of at least their dependency to claims 128 and 151 respectively and the additional features recited therein, it is believed that claims 129-150 and 152-172 are also patentable.

#### Support for Dependent Claims 129-150 and 152-173

Support for the dependent claims 129-150 and 152-172 can be found at least in the Figures and specification as originally filed as identified below. For the Examiner's convenience, support is cited in a tabular format. Applicants believe that this Amendment is fully responsive to present Office Action, the previously received Notice of Non-Compliant Amendment, and the previously received Final Office Action which were mailed from the U.S. Patent and Trademark Office on April 19, 2006, December 29, 2005 and August 4, 2005 respectively.

Claim	Support
129. (New) The system of claim 128, wherein the content manager is configured to cause transmission of a viewable data object from a first local server to a second local server.	FIG. 3; page 9, lines 15-32; and page 11, lines 6-19 of the specification, as originally filed.
130. (New) The system of claim 128, wherein the content manager is configured to cause a first storage server to transmit a viewable data object to a second storage server.	FIG. 3; page 9, lines 15-32; and page 10, line 26 to page 11, line 25 of the specification, as originally filed.
131. (New) The system of claim 128, wherein the content manager is configured to cause a server to receive meta-data associated with a viewable data object, the meta-data including information about the viewable data object.	page 10, line 15 to page 11, line 5 of the specification, as originally filed.
132. (New) The system of claim 128, wherein the content manager is configured to cause a server to receive information associated with a cost associated with viewing a viewable data object.	page 5, lines 3-10; page 8, lines 3-16; and page 10, lines 15-33 of the specification, as originally filed.
133. (New) The system of claim 128, wherein the content manager is configured to cause a server to receive state data associated with a viewable data object, the state data being indicative of a restriction against viewing the viewable data object.	page 8, line 28 to page 9, line 8 of the specification, as originally filed.
134. (New) The system of claim 128, wherein the content manager is configured to cause a server to receive information indicative of whether a viewable data object is to be made available for viewing.	FIG. 5B; FIG. 5C; page 10, line 26 to page 11, line 5; and page 16, line 10 to page 17, line 26 of the specification, as originally filed.

135. (New) The system of claim 128, wherein the content manager is configured to cause a server to receive information indicative of whether a viewable data object is to be made unavailable for viewing.	FIG. 5B; FIG. 5C; page 10, line 26 to page 11, line 5; and page 16, line 10 to page 17, line 26 of the specification, as originally filed.
136. (New) The system of claim 133, wherein the content manager is configured to cause a change in the state data associated with a viewable data object, the state data being stored on a server.	page 10, line 15 to page 11, line 19 of the specification, as originally filed.
137. (New) The system of claim 136, wherein the content manager is configured to provide a server with an instruction for changing state data stored on that server and a schedule for specifying an event for triggering execution of the instruction.	page 11, lines 6-19 and page 15, lines 20-27 of the specification, as originally filed.
138. (New) The system of claim 137, wherein the content manager is configured to provide a server with an instruction for causing the state data associated with a viewable data object to switch between an active state, in which the viewable data object is available for viewing, and an inactive state in which the viewable data object is not available for viewing.	page 10, line 26 to page 11, line 19 of the specification, as originally filed.
139. (New) The system of claim 128, wherein each local server is configured to receive, from a viewer receiver, a request for viewing a viewable data object; determine that the local server lacks a copy of the viewable data object; transmit a request for the viewable data object to a storage server; and transmit, to the viewer receiver, information indicative of an expected delay associated with retrieving the viewable data object from the storage server.	FIG. 6 and page 18, lines 5-25 of the specification, as originally filed.

140. (New) The system of claim 128, wherein each storage server is configured to be programmable by the content manager, and wherein the content manager is configured to program a selected storage server to control distribution of viewable data objects by the selected storage server.	page 13, lines 3-17 of the specification, as originally filed.
141. (New) The system of claim 128, wherein each of the local servers is configured to detect that a first viewable data object has a lower priority than a second viewable data object; and to delete the first viewable data object, thereby freeing space to store the second viewable data object.	FIG. 5C; page 4, lines 26-30; page 5, lines 11-20; and page 16, line 31 to page 17, line 26 of the specification, as originally filed.
142. (New) The system of claim 128, wherein the content manager is configured to define a logical grouping of viewable data objects and to manage the logical grouping as a single unit.	page 4, line 31 to page 5, line 2 and page 17, line 32 to page 18, line 4 of the specification, as originally filed.
143. (New) The system of claim 128, wherein the content manager is configured to update accessibility of a viewable data object in response to an occurrence of an event.	FIG. 5C; page 5, lines 11-20; and page 17, lines 6-26 of the specification, as originally filed.
144. (New) The system of claim 133, wherein the content manager is configured to receive viewer statistics from a local server, and to selectively alter the state data at least in part on the basis of the viewer statistics.	FIG. 3; page 6, lines 7-9; and page 9, lines 15-32 of the specification, as originally filed.
145. (New) The system of claim 133, wherein the content manager is configured to receive first viewer statistics from the local servers; receive second viewer statistics from the storage servers; and selectively alter the state data at least in part on the basis of the first and second viewer	FIG. 3; page 3, lines 15-29; and page 9, lines 15-32 of the specification, as originally filed.

statistics.	
146. (New) The system of claim 128, wherein the content server is configured to cause selected viewable data objects to be provided to selected servers at least in part on the basis of popularity of the viewable data objects.	page 14, line 23 to page 15, line 4 of the specification, as originally filed.
147. (New) The system of claim 128, wherein the content server is configured to cause selected viewable data objects to be provided to selected servers at least in part on the basis of demographic information associated with the local servers.	page 14, line 23 to page 15, line 4 of the specification, as originally filed.
148. (New) The system of claim 128, wherein the content server is configured to cause selected viewable data objects to be provided to selected servers at least in part on the basis of revenue associated with viewing the viewable data object.	page 5, lines 11-20 and page 14, line 23 to page 15, line 4 of the specification, as originally filed.
149. (New) The system of claim 128, wherein the content manager comprises a distributed processing system.	FIG. 3 and page 9, lines 15-32 of the specification, as originally filed.
150. (New) The system of claim 128, wherein the content manager is integrated into a storage server.	FIG. 3; page 9, lines 15-32; and page 17, lines 27-31 of the specification, as originally filed.
152. (New) The method of claim 151, further comprising causing transmission of a viewable data object from a first local server to a second local server.	FIG. 5A and page 3, lines 15-29 of the specification, as originally filed.
153. (New) The method of claim 151, further comprising causing a first storage server to transmit a viewable data object to a second storage server.	FIG. 5B; FIG. 5C; and page 16, line 10 to page 17, line 26 of the specification, as originally filed.

154. (New) The method of claim 151, further comprising causing a server to receive information about the viewable data object.	page 10, line 26 to page 11, line 5 of the specification, as originally filed.
155. (New) The method of claim 151, further comprising causing a server to receive information representative of a cost associated with viewing a viewable data object.	page 5, lines 3-10; page 8, lines 3-16; and page 10, lines 15-33 of the specification, as originally filed.
156. (New) The method of claim 151, further comprising causing a server to receive state data associated with a viewable data object, the state data being indicative of a restriction against viewing the viewable data object.	page 8, lines 28 to page 9, lines 8 of the specification, as originally filed.
157. (New) The method of claim 151, further comprising causing a server to receive information indicative of whether a viewable data object is to be made available for viewing.	FIG. 5B; FIG. 5C; page 10, line 26 to page 11, line 5; and page 16, line 10 to page 17, line 26 of the specification, as originally filed.
158. (New) The method of claim 151, further comprising causing a server to receive information indicative of whether a viewable data object is to be made unavailable for viewing.	FIG. 5B; FIG. 5C; page 10, line 26 to page 11, line 5; and page 16, line 10 to page 17, line 26 of the specification, as originally filed.
159. (New) The method of claim 156, further comprising causing a change in the state data associated with a viewable data object, the state data being stored on a server.	page 10, line 15 to page 11, line 19 of the specification, as originally filed.
160. (New) The method of claim 159, further comprising providing a server with an instruction for changing state data stored on that server and a schedule for specifying an event for triggering execution of the instruction.	page 11, lines 6-19 and page 15, lines 20-27 of the specification, as originally filed.



161. (New) The method of claim 160, further comprising providing a server with an instruction for causing the state data associated with a viewable data object to switch between an active state, in which the viewable data object is available for viewing, and an inactive state in which the viewable data object is not available for viewing.	page 10, line 26 to page 11, line 19 of the specification, as originally filed.
162. (New) The method of claim 151, further comprising receiving a request for viewing a viewable data object from a viewer receiver; determining that the local server lacks a copy of the viewable data object; transmitting a request for the viewable data object to a storage server; and transmitting, to the viewer receiver, information indicative of an expected delay associated with retrieving the viewable data object.	FIG. 6 and page 18, lines 5-25 of the specification, as originally filed.
163. (New) The method of claim 151, further comprising remotely programming a selected storage server to control distribution of viewable data objects by the, selected storage server.	FIG. 3; FIG. 4A; and page 13, lines 3-16 of the specification, as originally filed.
164. (New) The method of claim 151, further comprising detecting that a first viewable data object has a lower priority than a second viewable data object; and deleting the first viewable data object to create free space; and storing the second viewable data object in the free space.	FIG. 5C; page 5, lines 11-20; and page 16, line 31 to page 17, line 26 of the specification, as originally filed.
165. (New) The method of claim 151, further comprising defining a logical grouping of viewable data objects, and transmitting the logical grouping to a selected server as a single	page 4, line 31 to page 5, line 2 and page 17, line 32 to page 18, line 4 of the specification, as originally filed.

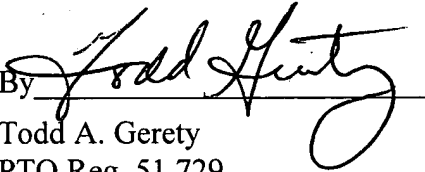
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166. (New) The method of claim 151, further comprising updating accessibility of a viewable data object in response to an occurrence of an event.	FIG. 5C; page 4, lines 26-30; page 5, lines 11-20; and page 16, line 31 to page 17, line 26 of the specification, as originally filed.
167. (New) The method of claim 156, further comprising: receiving viewer statistics from a local server; and selectively altering the state data at least in part on the basis of the viewer statistics.	FIG. 3; page 6, lines 7-9; and page 9, lines 15-32 of the specification, as originally filed.
168. (New) The method of claim 156, further comprising: receiving first viewer statistics from the local servers; receiving second viewer statistics from the storage servers; and selectively altering the state data at least in part on the basis of the first and second viewer statistics.	FIG. 3; page 3, lines 15-29; and page 9, lines 15-32 of the specification, as originally filed.
169. (New) The method of claim 151, further comprising causing selected viewable data objects to be provided to selected servers at least in part on the basis of popularity of the viewable data objects.	page 14, lines 23 to page 15, line 4 of the specification, as originally filed.
170. (New) The method of claim 151, further comprising causing selected viewable data objects to be provided to selected servers at least in part on the basis of demographic information associated with the local servers.	page 14, line 23 to page 15, line 4 of the specification, as originally filed.
171. (New) The method of claim 151, further comprising causing selected viewable data objects to be provided to selected servers at least in part on the basis of revenue associated with viewing the viewable data object.	page 5, lines 11-20 and page 14, line 23 to page 15, line 4 of the specification, as originally filed.

172. (New) A computer-readable medium having encoded thereon software for executing the method of claim 151.	page 16, lines 3-16 of the specification, as originally filed.

**CONCLUSION**

In view of the above amendments and remarks, it is believed that claims 128-173 are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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